

MAR 29 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shalong Maa, Ph.D.

Application No.: 10/688,269

Filing Date: 10-20-2003

Confirmation No.: 3782

Art Unit: 2109

Examiner: BELOUSOV, ANDREY

Title: "COMPUTER REMOTE CONTROL"

TO: Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax: (571) 273-8300

Dear Sir:

APPLICANT'S STATEMENT OF SUBSTANCE OF INTERVIEW

With respect to the above-captioned patent Application and to the non-final Office Action dated 15 March 2007, a Telephone Interview, initiated by the undersigned *pro se* Applicant (via Phone No. (571) 272-6722)), was conducted between the Supervisory Primary Examiner James W. Myhre and the Applicant Shalong Maa. The time of the Interview was 10:00am – 10:30am EST (9:00am – 9:30am CT) on 29 March 2007. The Interview was pre-scheduled by telephone and also by email. The participants of the Interview also included the Examiner Andrey Belousov in addition to the Supervisory Primary Examiner and the Applicant. Applicant's Statement of Substance of the Interview is as follows:

(A) Exhibit/Demonstration Shown or Conducted

There was no demonstration conducted during the Interview. The issues desired by Applicant to be discussed during the Interview were included in an email, which was sent to the Examiner in advance on 26 March 2007. the Interview was essentially conducted following the issues and the proposed amendments enlisted in such an email. The EXHIBIT attached hereto

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includes a copy of each email communication between Applicant and the Examiner relating/prior to the Interview.

(B) Claims Discussed

The claims discussed during the Interview include Claims 61, 68, 74 and 78. Most of the discussions were focused on Claim 61 and 68.

(C) Prior Art Discussed

The prior art discussed during the Interview is U.S. Pat. No. 6,353,450 issued to DELEEUEW, the primary reference cited in the Office Action.

(D) Proposed Amendment

During the Interview, Applicant proposed the following Amendments to the Claims:

- (i) The term "default" be inserted in front of the term "desktop display" in Claim 61 and 74 (rewritten as Claim 82), and the following claim language/limitation be added to or included in Claims 61 and 74 (rewritten as Claim 82), and in those depending therefrom:

"said live information being represented by live information data received from said remote computer, said live information data including textual data pertaining to textual or numerical description of a live or recently occurred event."

- (ii) The following claim language/limitation be added to or included in Claims 68 (amended, also rewritten as an independent Claim 86) and 78 (rewritten as Claim 83), and in those depending therefrom if any:

"wherein said window includes a finite-size mode in which said window and said display content are displayed within a display area that is smaller than said display device's entire display area"

(E) General Thrust of Principle Argument

The general thrust of the principle arguments during the Interview pertains to the basic nature of the claimed invention and of the prior art. The Supervisory Primary Examiner questioned the Applicant as to the difference between the claimed invention and the commonly seen live

stock quote shown on a computer monitor. Applicant asserted: (i) in the claimed invention, the claim element "live component" in Claims 61 and 74 means that it is a component of a *default* desktop display, which is different from the display of an user-activated application program. The default desktop display, including any of its component, is the display desired by the user to be displayed when there is no user-activated application program, which is why the claimed invention is different from a conventional computer system that has an application program running, such as a web browser, and the application program includes live information received from a remote computer; and (ii) DELEEUEW only teaches employing video/imaging means (as opposed to textual description) for recording/presenting a live event, and transmitting the captured video imaging stream reflecting the (physical) scene of the live event to the user's computer;.

During the interview, the parties thereto also discussed the issue of whether DELEEUEW teaches the technical concept of transparent window that has a display area that is smaller than the entire screen of the computer monitor.

(F) Other Pertinent Matter Discussed

Other pertinent matters discussed during the Interview include the Examiner's obvious error in associating FIG. 10, ref no. 502 in DELEEUEW with the technical concept of transparent window in rejecting Claims.

(G) Outcome of Interview

In general, the Supervisory Primary Examiner agreed that, based on the information available so far, and on Applicant's outlining of the claimed invention (Claims 61, 68) and of the teachings of DELEEUEW, it "looks like" the foregoing amendment will overcome DELEEUEW as to both the issues of (i) live information being displayed as a component of a default desktop display, and (ii) transparent window that is smaller than the entire display area of the computer monitor.

However, the Supervisory Primary Examiner maintained that, (I) further searching of prior art needs to be conducted as to both the issue of (i) live information being displayed as a component of a default desktop display and (ii) transparent window that is smaller than the entire display area of the computer monitor, and that (II) further studying of DELEEUEW also needs to

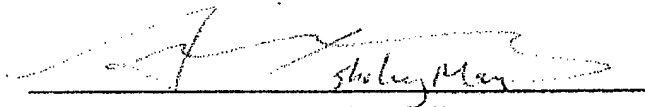
be done as to whether DELEEUW teaches that the transparent layer can be smaller than the entire computer monitor display.

(H) Email

A copy of every email communication relating/prior to the Interview is included in the EXHIBIT attached hereto.

Respectfully Submitted

SIGNED ON: 29 March 2007


BY: Shalong Maa, Ph.D. *Pro Se* Applicant
P.O. Box 600118,
Dallas, TX 75360-0118
sm2k@yahoo.com; (214) 228-8679

EXHIBIT

(A copy of each email communication relating to the Interview between Applicant and the Examiner)

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Date: Mon, 26 Mar 2007 08:40:43 -0700 (PDT)

From: "Shalong Maa Ph.D." <sm2k@yahoo.com> Add to Address Book Add Mobile Alert

Subject: RE: Pat. App. No. 10/688,269 // Interview

To: "Belousov, Andrew" <Andrew.Belousov@USPTO.GOV>

Mr. Belousov:

Thanks for the reply. The issue I would like to discuss during the interview on Thursday (3/29/07) includes the technical concepts/claim elements of (i) "Live component" on desktop display (in Claims 61 and 74), and (ii) "Transparent window" (in Claims 68,73, 77, 78), and how they are different from the teaching of DELEEUW (The primary prior art reference in the office action), as follows:

1. In rejecting the Claims in the Office Action, the Examiner alleged that both these two claim elements are taught in DELEEUW. Applicant respectfully disagree. The argument herein are best supported by (but not limited to) the following quotations of DELEEUW:
 - (a) "the system being coupled to a source of video data signal, the video data signals representing a *SCENE*" [in DELEEUW,1:31-33]; [emphasis added]
 - (b) "Real time video images may be captured by a video camera coupled to a PC or received from any other source of video data signals and rendered to the *ENTIRE SCREEN* of the PC's display such that the *CAPTURED* video images may be made *TRANSPARENT* and shown on the display" [2:55-60]; [emphasis added];
 - (c) "a video camera CAPTURES a LIVE video stream of a SCENE" [3:46-48] [emphasis added].

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2. VIDEO IMAGING DATA REFLECTING A LIVE (PHYSICAL) SCENE - as opposed to - TEXTUAL DATA

2.1 With respect to live information associated with a live event, the foregoing cited as well as the entire teachings of DELEEUW clearly suggests that,

(i) in DELEEUW, both the so-called live information and the transparent display (or transparent "layer") are directly associated with a live "video stream" transmitted to the user's

computer and displayed on the user's computer monitor. The live

"video stream" may be received from a video camera coupled to

the user's computer, or from other sources (such as from a computer server); and more importantly, it is a direct reflection or imaging of a live (physical) "SCENE"

"CAPTURED" by

an instrument (camera), and what is displayed on the user's computer monitor is a playback of such live (physical) scene so captured;

[Note that, the term "capture", "scene", and "video data signal"

or "video stream" are repeatedly used in DELEEUW];

(ii) DELEEUW only teaches employing Video/Imaging means (as opposed textual description) for recording / presenting a live event, and for transmitting the captured live (physical) scene to the user's computer for display;

(iii) DELEEUW does NOT teach providing TEXTUAL DESCRIPTION of a live event, or transmitting the associated textual data live from a remote computer to the user's computer for display.

[Note: If the examiner disagree, please point out precisely which specific term in DELEEUW pertains to employing non-video-imaging means in recording, presenting, or representing a live event.]

2.2 Therefore, in DELEEUW, what is displayed on the user's computer monitor is a playback of a captured live physical scene; and the data for representing such live event received by the user's computer (i) is a "video data signal", (ii) is

a

direct reflection or imaging of a live physical scene, and (iii) does not contain textual description or the like of such live event.

2.3 IN CONTRAST: in the claimed invention, what is displayed on the user's computer screen is NOT related to playback of a physical scene captured or imaged; the live information data for representing a live event transmitted from a remote computer to the user's computer and presented on the "live component" of the

desktop display thereof (i) are NOT video imaging data, (ii) do pertain to direct reflection or imaging of a live physical scene (i.e., the graphical characteristics of the "live component"

of
the desktop display is substantially artificial); and (iii) DO
contain textual description of the live event.

2.4 Note that, when textual data are received by a computer, the
associated text content (such as the plain texts, or the
associated ASCII codes, in a simple example) are usually
contained in the textual data, i.e., the texts may be readily
extracted from the textual data (usually the data also includes
headers); whereas in case of video imaging of a physical scene,
even if the physical scene does include a display of languages,
words, or texts that can be visually observed or captured by the
video camera, it is usually very difficult to extract the text
data associated with the text displayed within the video imaging
from the video data signals without any very complex video data
analysis program.

3. FULL-SCREEN TRANSPARENT LAYER - as opposed to -
FINITE-SIZE
TRANSPARENT WINDOW

3.1 With respect to the technical concept of Transparent Window
or Layer, the plain language of the above-quoted teachings of
DELEEUW [2:55-60] is readily clear that, in DELEEUW, (i) both
the live information data representing a live event and the
technical concept of transparent "layer" are *directly
associated* with the video images transmitted to the user's
computer and displayed on the computer monitor; and (ii) More
importantly, the video images and thus the transparent layer are
"rendered to the *ENTIRE SCREEN* of the PC's display".

3.2 IN CONTRAST: Applicant's original disclosure makes it
clears that, a window may have a "full-screen mode" and a
"reduced-size" mode, "i.e., the display of the window is
smaller
than the full screen" [paragraph 32]. Thus, evidently, in the
claimed invention, the technical concept of "transparent
window"
means that the size of such transparent window may be the same
as or be smaller than the entire display area of the screen.

3.3 In rejecting Claims 68, 73, 77 and 78, the Examiner refers
to FIG. 10, Ref. No. 502 in DELEEUW in support of the
Examiner's
argument that DELEEUW teaches a window being transparent.
However, FIG. 10 and the Ref. No. 502 pertains to a functional
block diagram "illustrating components of an application
program
[i.e., 502]" [2:21-24; 11:32-13:26], and they are NOT related
to
the actual visual display of the graphical results of such an
application program.

4. In order to further identify the foregoing differences
between the claimed invention and DELEEUW, the following claim
limitation are added:

(i) As for "live information" - "said live information

being
represented by live information data received from said remote
computer, said live information data comprising textual data
pertaining to textual or numerical description of a live or
recently occurred event";

(ii) As for "transparent window" - "said window
including a
finite-size mode in which said window and said display content
are displayed within a display area that is substantially
smaller than said display device's entire display area"

5. Most of the foregoing arguments will be included in my reply
to the office action. Please go over them so that we can discuss
during the telephone interview. On Thursday, I will initiate the
phone call at precisely 12:00am ET (11:00am CT) (unless you do
not receive my call within 5 minutes, or you need to reschedule
it). I would like to limit the time of the interview to within
30 minutes. (See MPEP)

Sincerely,
Shalong Maa, Pro Se Applicant
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(214) 228-8679

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This message is not flagged. [[Flag Message](#) - [Mark as Unread](#)]**Date:** Tue, 27 Mar 2007 06:26:08 -0700 (PDT)**From:** "Shalong Maa Ph.D." <sm2k@yahoo.com> [Add to Address Book](#) [Add Mobile Alert](#)**Subject:** RE: Pat. App. No. 10/688,269 // Interview**To:** "Belousov, Andrew" <Andrew.Belousov@USPTO.GOV>

Mr. Belousov:

that's ok, 10am EST (9:00am ct) on Thursday (29th.). I will initiate the call. Again, please go over the previous email regarding the issues I would like to discuss during the interview.

Thanks

Shalong

--- "Belousov, Andrew" <Andrew.Belousov@USPTO.GOV> wrote:

> Mr. Shalong Maa,

>

> I had a chance to speak with my Supervisor, and as a result we would like to reschedule the interview to 10am EST that same Thursday (29th.) Does that time conflict with your schedule?

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> Regards,

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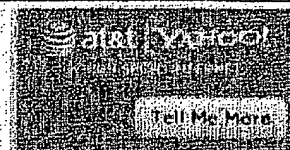
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Mr. Shalong Maa,

I received your email, and lets plan tentatively for Thursday as we have previously discussed. My Supervisor, who will be attending the interview, is out until tomorrow, so I until I have a chance to speak with him I am not 100% sure whether he would be available at that time. I will let you know soon as I have spoken to him. Please forward the talking points to my email in the mean time.

Regards,

-Andrew Belousov

-----Original Message-----

From: Shalong Maa Ph.D. [mailto:sm2k@yahoo.com]**Sent:** Friday, March 23, 2007 10:13 AM**To:** Belousov, Andrew**Subject:** Pat. App. No. 10/688,269 // Interview

Mr. Belousov:

This is to confirm that the telephone interview relating to the present Pat. Application (10/688,269) and to your first office action dated 03-15-2007 will be on next Thursday, 03-29-2007, at 12:00noon, East. T., 11:00am CT, as we agreed upon yesterday over the phone.

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Please send a brief reply hereto at your earliest convenience to confirm the scheduled interview time and your email address.

After receiving your reply, I will send you another email, which will include, in detail, issues I would like to discuss during the interview.

Per your request, I will NOT send the form PTOL-413A ("Applicant Initiated Interview Request")

Thanks

Shalong Maa, Pro Se Applicant
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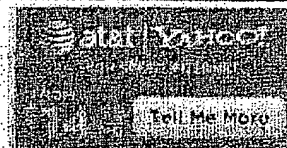
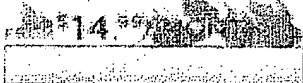
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Mr. Shalong Maa,

I had a chance to speak with my Supervisor, and as a result we would like to reschedule the interview to 10am EST that same Thursday (29th.) Does that time conflict with your schedule?

Regards,

-Andrew B.

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Date: Thu, 29 Mar 2007 07:52:48 -0400

From: "Belousov, Andrew" <Andrew.Belousov@USPTO.GOV> View Contact Details Add Mobil

To: sm2k@yahoo.com

Mr. Shalong Maa,

We are set to go for the interview at 10am est, please use the following phone number to call: (571) 272-6722. Attending the phone conference interview will be Mr. Myhre (my supervisor) and myself.

Thanks,

-Andrew B.

-----Original Message-----

From: Shalong Maa Ph.D. [mailto:sm2k@yahoo.com]

Sent: Tuesday, March 27, 2007 9:26 AM

To: Belousov, Andrew

Subject: RE: Pat. App. No. 10/688,269 // Interview

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Thanks

Shalong

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- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
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